

PROOF

STATE OF IOWA

House Journal

MONDAY, FEBRUARY 16, 2004

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JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day - Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 16, 2004

The House met pursuant to adjournment at 1:00 p.m., Speaker Rants in the chair.

Prayer was offered by Monsignor Larry Beeson, pastor of St. Peter and Paul Catholic Church, Atlantic. He was the guest of Representative Jack Drake from Pottawattamie County.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the SODA Group (Students Against Drugs and Alcohol), accompanied by Kevin McCauley from Linn-Marr High School, Marion. They were the guests of Representatives Swati Dandekar and Jeff Elgin of Linn County.

The Journal of Thursday, February 12, 2004 was approved.

INTRODUCTION OF BILLS

House File 2250, by Schickel, a bill for an act relating to shared governmental functions among local governments by allowing certain cities and counties to be certified as freedom communities, affecting income and property taxation and fee-setting authority within such communities, providing other incentives for such certification, and by modifying the establishment and authority of community clusters, and providing an effective date.

Read first time and referred to committee on **local government**.

House File 2251, by Alons, a bill for an act relating to marriage, providing an effective date, and providing for retroactive applicability.

Read first time and referred to committee on **human resources**.

[House File 2252](#), by Petersen, a bill for an act requiring an insurer offering group health insurance to provide benefit coverage for special dietary use foods for home use.

Read first time and referred to committee on **commerce, regulation and labor**.

[House File 2253](#), by Struyk, a bill for an act relating to penalties applicable for alcohol-related offenses regarding under-legal-age individuals.

Read first time and referred to committee on **public safety**.

[House File 2254](#), by Osterhaus and Bukta, a bill for an act relating to the discharge of a firearm on a public hunting area.

Read first time and referred to committee on **natural resources**.

[House File 2255](#), by Stevens, Struyk, Quirk and Dandekar, a bill for an act relating to the increase in the amount reimbursed by the state for loss of property taxes due to the allowance of the military service tax exemption and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

[House File 2256](#), by Ford, a bill for an act relating to refunds of motor vehicle registration fees for leased vehicles.

Read first time and referred to committee on **transportation**.

[House File 2257](#), by Stevens, Dandekar, Struyk and Quirk, a bill for an act appropriating special Pearl Harbor and United States armed forces retired motor vehicle registration plate fees to the commission of veterans affairs.

Read first time and referred to committee on **transportation**.

[House File 2258](#), by Ford, a bill for an act relating to and making appropriations to the department of justice.

Read first time and referred to committee on **appropriations**.

[House File 2259](#), by committee on public safety, a bill for an act relating to the selling and purchasing of products containing pseudoephedrine, and providing penalties.

Read first time and placed on the **calendar**.

[House File 2260](#), by Upmeyer, a bill for an act designating physician assistants as providers of health care services pursuant to managed care or prepaid services contracts under the medical assistance program.

Read first time and referred to committee on **state government**.

[House File 2261](#), by Connors, a bill for an act relating to the enforcement of an artisan's lien.

Read first time and referred to committee on **commerce, regulation and labor**.

[House File 2262](#), by committee on state government, a bill for an act relating to public retirement systems, including the public safety peace officers' retirement, accident, and disability system, the Iowa public employees' retirement system, and the statewide fire and police retirement system, and providing effective and retroactive applicability dates.

Read first time and placed on the **calendar**.

[House File 2263](#), by Wise, Huser, Petersen and Struyk, a bill for an act relating to regional development and joint exercise of governmental powers, related county enterprise authority, and providing tax credits for economic development regions.

Read first time and referred to committee on **economic growth**.

On motion by Gipp of Winneshiek, the House was recessed at 1:08 p.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:49 p.m., Speaker Rants in the chair.

INTRODUCTION OF BILLS

[House File 2264](#), by committee on education, a bill for an act relating to education funding, providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing for allocations for textbook and supply acquisition, making appropriations, and providing an applicability date.

Read first time and referred to committee on **appropriations**.

[House File 2265](#), by Heddens, a bill for an act to establish a fire extinguishing system contractor certification program in the office of the state fire marshal, providing for fees and penalties, and making an appropriation.

Read first time and referred to committee on **state government**.

[House File 2266](#), by Tjepkes, a bill for an act authorizing the use of revenue derived from the physical plant and equipment levy and the local option sales tax for school infrastructure purposes for maintenance costs for specified school buildings, and for maintenance and repair costs for school district transportation equipment, and providing an applicability provision.

Read first time and referred to committee on **education**.

[House File 2267](#), by Wise, a bill for an act making an appropriation to the department of education to replace amounts which were reduced by the governor's across-the-board appropriation reductions, making corresponding transfers from specified funds, and providing an effective date.

Read first time and referred to committee on **education**.

[House File 2268](#), by Kurtenbach, a bill for an act modifying specific salary restrictions imposed on the deputy positions in certain county offices.

Read first time and referred to committee on **local government**.

[House File 2269](#), by committee on commerce, regulation and labor, a bill for an act providing for the regulation of business entities, including businesses providing for cemetery and funeral merchandising and services, business promotions and contracts, and businesses providing continuing care or adult congregate living services, and providing penalties.

Read first time and placed on the **calendar**.

[House File 2270](#), by committee on commerce, regulation and labor, a bill for an act relating to certain notice requirements for cooperative associations retaining abandoned property.

Read first time and placed on the **calendar**.

[House File 2271](#), by committee on commerce, regulation and labor, a bill for an act regarding public utility rights-of-way and providing an effective date.

Read first time and placed on the **calendar**.

On motion by Jacobs of Polk, the House was recessed at 4:51 p.m., until the completion of the meeting of the committee on appropriations.

EVENING SESSION

The House reconvened at 5:47 p.m., Speaker Rants in the chair.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, February 12, 2004. Had I been present, I would have voted aye on House Files 2133, 2134, 2150, 2180 and 2187.

RAECKER of Polk

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON
Chief Clerk of the House

- 2004\406 Lena Meyer, Anthon – For celebrating her 95th birthday.
- 2004\407 Linus and Josephine Langenfeld, Dow City – For celebrating their 60th wedding anniversary.
- 2004\408 Derald Cose, Denison – For celebrating his 80th birthday.
- 2004\409 Richard and Lois Butler, Charter Oak – For celebrating their 55th wedding anniversary.
- 2004\410 Dr. Joseph Cordaro, Principal of St. Anthony's of Des Moines – For being selected as the Plains States Region 9 Distinguished Principal for 2004.
- 2004\411 Homer C. Sweet, Cedar Falls – For celebrating his 80th birthday.
- 2004\412 Mary Jean Sweet, Cedar Falls – For celebrating her 80th birthday.
- 2004\413 Marie Woods, Cedar Falls – For celebrating her 80th birthday.
- 2004\414 Dorothy Beebe, Cedar Falls – For celebrating her 90th birthday.
- 2004\415 Ted Pickart, Norway – For celebrating his 86th birthday.
- 2004\416 Myron Knaack, Newhall – For celebrating his 90th birthday.
- 2004\417 Rita Barron, Vinton – For receiving the Governor's Volunteer Award.
- 2004\418 Tonya Foster, Independence – For receiving the Roy E. Eblen Scholarship from the University of Northern Iowa Department of Communicative Disorders.
- 2004\419 Darlene Struve, Dysart – For celebrating her 85th birthday.
- 2004\420 Allen and Anna McKinley, Traer – For celebrating their 61st wedding anniversary.
- 2004\421 George Yuska, Toledo – For celebrating his 84th birthday.
- 2004\422 George "Barney" Anshutz, Toledo – For celebrating his 80th birthday.
- 2004\423 Mr. and Mrs. Lyman Shepard, Clarinda – For celebrating their 59th wedding anniversary.
- 2004\424 William and Margaretta Hays, Malvern – For celebrating their 60th wedding anniversary.
- 2004\425 Henrietta "Sally" Sutherland, Nevada – For celebrating her 90th birthday.

- 2004\426 Mayor Wally Loney, McCallsburg – For celebrating his 80th birthday.
- 2004\427 Vena Mae Larson, Story City – For celebrating her 80th birthday.
- 2004\428 Henrietta Huhn, Nevada – For celebrating her 95th birthday.
- 2004\429 Mr. and Mrs. Milton Mohr, Nevada – For celebrating their wedding.
- 2004\430 Kim Lockhart, Ames – For receiving a 2004 Prudential Spirit of Community Award.
- 2004\431 Dorothy Rippentrop, Mason City – For celebrating her 90th birthday.
- 2004\432 Thorvald Sorsen, Plymouth – For celebrating his 85th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 2210](#)

Environmental Protection: Klemme, Chair; De Boef and Heddens.

[House File 2232](#)

Public Safety: Baudler, Chair; McCarthy and Sands.

[House File 2234](#)

Natural Resources: Whitaker, Chair; Rasmussen and Rayhons.

[House File 2236](#)

Natural Resources: Whitaker, Chair; Rasmussen and Rayhons.

[House File 2253](#)

Public Safety: Chambers, Chair; Klemme and Taylor, T.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 631](#)

Agriculture: Lalk, Chair; Greiner and Swaim.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 632](#) **Economic Growth**

Creating a training grant program for Iowa's software and information technology sector and providing an effective date.

H.S.B. 633 Ways and Means

Proposing an amendment to the Constitution of the State of Iowa requiring a vote of the people before certain tax or fee increases take effect.

H.S.B. 634 Human Resources

Relating to crimes against an unborn child, providing for a repeal, and providing penalties.

H.S.B. 635 Ways and Means

Relating to utility replacement taxes by redefining major additions for purposes of allocating replacement taxes to taxing districts, requiring certain taxpayers to report estimated replacement taxes, and changing or establishing certain reporting dates and including effective and retroactive applicability date provisions.

H.S.B. 636 Education

Relating to education funding, providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing for allocations for textbook and supply acquisition, making appropriations, and providing an applicability date.

H.S.B. 637 Agriculture

Allocating moneys used to support groundwater protection programs.

H.S.B. 638 Public Safety

Relating to the suspension or revocation of a retail liquor control license, wine permit, or beer permit for specified liquor control violations.

H.S.B. 639 Transportation

Relating to disclosure requirements for the sale, lease, or trade of a motor vehicle and providing penalties.

H.S.B. 640 State Government

Providing for the confidentiality of information concerning security procedures or emergency preparedness information developed and maintained by a government body.

H.S.B. 641 State Government

Relating to the sale of certain real property by the department of administrative services.

H.S.B. 642 State Government

Relating to elections and voter registration by implementing requirements of federal law, adjusting language to reflect current practice, and including effective date provisions.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 2264, a bill for an act relating to education funding, providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing for allocations for textbook and supply acquisition, making appropriations, and providing an applicability date.

Fiscal Note is required.

Recommendation: **Do Pass** February 16, 2004.

COMMITTEE ON EDUCATION

Committee Bill (Formerly **House Study Bill 636**), relating to education funding, providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing for allocations for textbook and supply acquisition, making appropriations, and providing an applicability date.

Fiscal Note is not required.

Recommendation **Do Pass** February 16, 2004.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly [House File 2065](#)), relating to licensing of nonresident bait dealers.

Fiscal Note is not required.

Recommendation **Do Pass** February 16, 2004.

Committee Bill (Formerly [House File 2072](#)), relating to the selling of bait by an aquaculture unit licensee.

Fiscal Note is not required.

Recommendation **Do Pass** February 16, 2004.

Committee Bill (Formerly [House Study Bill 566](#)), relating to certain activities under the jurisdiction of the natural resource commission and the department of natural resources, including leases of property and the issuance and suspension of certain licenses.

Fiscal Note is not required.

Recommendation **Amend and Do Pass** February 16, 2004.

RESOLUTIONS FILED

[HCR 108](#), by Carroll, a concurrent resolution recognizing the seventy-fifth anniversary of the Iowa Medical Society Alliance.

Laid over under **Rule 25**.

[HCR 109](#), by Maddox and Mascher, a concurrent resolution designating March 2004 as Iowa Women's History Month.

Laid over under **Rule 25**.

[HCR 110](#), by Huser, a concurrent resolution expressing the support of the general assembly for Iowa's adoption subsidy program and encouraging the legislative council to authorize an independent assessment of the program's value to the state.

Laid over under **Rule 25**.

[HCR 111](#), by Rants and Murphy, be it resolved by the House of Representatives, the Senate concurring That a joint convention of the

two houses of the 2004 session of the Eightieth General Assembly be held on Wednesday, February 25, 2004, at 1:00 p.m.

Laid over under **Rule 25.**

AMENDMENTS FILED

<u>H-8023</u>	<u>H.F. 2174</u>	Struyk of Pottawattamie
<u>H-8024</u>	<u>H.F. 2264</u>	Wendt of Woodbury
Berry of Black Hawk		Gaskill of Wapello
Heddens of Story		Jochum of Dubuque
Kuhn of Floyd		Lensing of Johnson
Mascher of Johnson		McCarthy of Polk
Miller of Webster		Oldson of Polk
D. Olson of Boone		Reasoner of Union
Stevens of Dickinson		T. Taylor of Linn
Thomas of Clayton		Whitaker of Van Buren
Winckler of Scott		

On motion by Gipp of Winneshiek the House adjourned at 6:00 p.m., until 8:45 a.m., Tuesday, February 17, 2004.